

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

LABORERS' PENSION FUND and )  
LABORERS' WELFARE FUND OF THE )  
HEALTH AND WELFARE DEPARTMENT )  
OF THE CONSTRUCTION AND GENERAL )  
LABORERS' DISTRICT COUNCIL OF )  
CHICAGO AND VICINITY, JAMES S. )  
JORGENSEN, )  
Plaintiffs, )  
v. ) No. 07 C 7260  
)  
) )  
) ) Judge Zagel  
) )  
BILL HARRIS MASONRY, INC. )  
) )  
Defendant. )

**ORDER**

This cause coming before the Court on the plaintiffs' Motion for a prove up of damages due notice having been given to the defendant Bill Harris Masonry, Inc., entering default judgment.

**IT IS HEREBY ORDERED:**

1. The defendant Bill Harris Masonry, Inc. is in default.
2. A judgment is entered on behalf of the Laborers' Pension and Welfare Funds, plaintiffs in this action and against defendant Bill Harris Masonry, Inc. in the amount of \$55,128.56, which includes the following:

Principal contributions and Union dues as reflected in the audit for the period January 1, 2000 through February 29, 2004 . . . . . \$1,343.36

Principal contributions and Union dues as reflected in the audit for the period March 1, 2004 through October 31, 2007. . . . . \$36,085.23

10% liquidated damages based on the audit for delinquencies from January 1, 2000 through February 29, 2004 .....	\$134.36
10% liquidated damages based on the audit for delinquencies from March 1, 2004 through October 31, 2007. ....	\$204.63
20% liquidated damages based on the audit for March 1, 2004 - October 31, 2007 . .	\$6,807.79
Interest based on the audit for the period January 1, 2000 through February 29, 2004. .	\$2,804.16
Interest based on the audit for the period March 1, 2004 through October 31, 2007 . .	\$2,700.00
Past due ten and twenty percent penalties for the period of March 1, 2004 through October 31, 2007 .....	\$125.28
Attorneys' fees .....	\$1,093.75
Audit's fees for the audit for the period of January 1, 2000 through February 29, 2004. .	\$2,750.00
Audit's fees for the audit for the period of March 1, 2004 through October 31, 2007 . .	\$680.00
Filing costs and service fees .....	\$400.00

3. Defendant Bill Harris Masonry, through its president Kay Harris, is ordered to comply with its obligations to the plaintiffs, under the applicable collective bargaining agreement and Trust Agreements, to file monthly reports by the 10<sup>th</sup> of the month, each month, accurately reflecting the work performed within the jurisdiction of the labor agreement, including reports from December 2007 through the date of this order, and to remit any corresponding contributions to the plaintiffs Funds within 30 days of service of this order. For reports due subsequent to the date of this order, Bill Harris Masonry is ordered to file the report and pay any corresponding contributions by the 10<sup>th</sup> day of the month following the month in which the work is performed.

4. This Court orders Bill Harris Masonry, Inc. to obtain and maintain a surety bond in the

amount of five-thousand dollars, \$5,000.00, which is required by the applicable collective bargaining agreement to guarantee the payment of wages, pension and welfare contributions in accordance with the terms of the applicable collective bargaining agreement. It is further ordered that, within 60 days of the date of this judgment order, defendants shall provide written proof that it has obtained such a surety bond, to plaintiffs' counsel, Angie M. Cowan, Esq., Allison Slutsky & Kennedy, P.C., 230 W. Monroe Street, Suite 2600, Chicago, Illinois 60606.

**E N T E R E D**

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**U.S. DISTRICT COURT**

**DATE** \_\_\_\_\_